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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/025,166	12/19/2001	Thorsten Laux	30014200-1021	6148

58328 7590 04/10/2006	EXAMINER
SONNENSCHEIN NATH & ROSENTHAL LLP	HU, JINSONG

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2154	

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DATE MAILED: 04/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/025,166	LAUX ET AL.
	Examiner	Art Unit	
	Jinsong Hu	2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>25 January 2006</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-9,11-24 and 26-41</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-9, 11-24 and 26-41</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1-9, 11-24 and 26-41 are presented for examination. Claims 4 and 19 are

amended. Claims 10 and 25 are canceled.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.   Claims 1-9, 11-24 and 26-41 are rejected under 35 U.S.C. 102(b) as being

anticipated by Simonson et al, "version augmented URIs for reference permanence via

an Apache module design", from computer networks and ISDN systems 30 (1998),

published on 1998.

4.   Simonson is a prior art reference cited by applicant on form 1449, dated to

3/25/02.

5.   As per claim 1, Simonson teaches the invention as claimed including a data

processing system for sending a document with a network address to a recipient

[abstract], the method comprising the steps of determining to send the document to the

recipient [p. 342-343, all paragraphs under subtitle 4]; incorporating a timer value and a

calculated value based on the timer value, into the network address [p. 340-342, all

paragraphs under subtitle 3]; and sending the document with the incorporated network

address to the recipient [p. 339-340, all paragraphs under subtitle 2; p. 340, paragraph

4 under subtitle 3].

6.   As per claim 2, Simonson teaches the recipient is a computer [abstract].

7.   As per claim 3, Simonson teaches the recipient is a program in the data

processing system [p. 340, lines 10-12].

8.   As per claim 4, Simonson teaches the calculated value is based on a time

dependent increment [p. 340, lines 32-36, i.e., version number is a value calculated

based on the time increment because the system needs the version number to

determine outdated version and updated version].

9.   As per claim 5, Simonson teaches the network address has a format such that a

first part of the network address identifies a server in the network, and a second part of

the network address identifies the document, which is sent by the server identified by

the first part, and wherein the timer value is incorporated into the second part [p. 340, paragraphs 5-6 under subtitle 3].

10.　As per claim 6, Simonson teaches the network address data has a format such that a first part of the network address data identifies a server in the network, and a second part of the network address data identifies the document, which is sent by the server identified by the first part, and wherein the timer value is incorporated into the second part [p. 340, paragraphs 5-6 under subtitle 3].

11.　As per claim 7, Simonson teaches the network is the Internet and the network address is a Uniform Resource Locator [abstract].

12.　As per claim 8, Simonson teaches the document is a web page and the network address is a URL [abstract].

13.　As per claim 9, Simonson teaches the network is one of a Local Area Network, a Metropolitan Area Network and a Wide Area Network [abstract, lines 1-3].

14.　As per claim 11, Simonson teaches of determining whether the network address comprises a link element, the link element having a format such that the link element can be used by a user of the network who receives a document containing the link

element in order to generate a request containing the network address associated with the link element [p. 340, paragraph 3 under subtitle 3].

15.   As per claim 12, Simonson teaches the predetermined condition is met if the network address data comprises a link element, the link element having a format such that the link element can be used by a user of the network who receives a document containing the link element in order to generate a request containing the network address associated with the link element [p. 340, paragraph 3 under subtitle 3].

16.   As per claim 13, Simonson teaches the step of receiving a request for the document, wherein the document is sent in response to the received request, the request comprising one of a network address identifying the document and an amended network address derived from a network address identifying the document [p. 340, paragraphs 4-5 under subtitle 3].

17.   As per claim 14, Simonson teaches the steps of determining whether the received request comprises a network address or an amended network address; when the received request comprises an amended network address, deriving a network address from the amended network address by removing an address supplement from the amended network address, the outputted document being identified by the derived network address [p. 340, paragraphs 4-5 under subtitle 3].

18.   As per claim 15, Simonson teaches the invention as claimed including a method

in a data processing system comprising a web server having a web page with a URL

[abstract], the method comprising the steps performed by the web server of:

        receiving a request to download the web page to a client [p. 339, second

paragraph under subtitle 2];

        determining whether the web page has been updated, when the web page has

been updated, incorporating a time stamp into the URL of the web page [p. 342-343, all

paragraphs under subtitle 4];

        downloading the web page with the URL incorporated with the time stamp to the

client to satisfy the request [p. 339-340, all paragraphs under subtitle 2]; and

        when the web page has not been updated, downloading the web page to the

client to satisfy the request [p. 339-340, all paragraphs under subtitle 2].

19.   As per claim 16, since it is a computer program claim of claim 1, it is rejected for

the same basis as claim 1 above.

20.   As per claim 17, since it is a computer program claim of claim 2, it is rejected for

the same basis as claim 2 above.

21.   As per claim 18, since it is a computer program claim of claim 3, it is rejected for

the same basis as claim 3 above.

22.   As per claim 19, since it is a computer program claim of claim 4, it is rejected for the same basis as claim 4 above.

23.   As per claim 20, since it is a computer program claim of claim 5, it is rejected for the same basis as claim 5 above.

24.   As per claim 21, since it is a computer program claim of claim 6, it is rejected for the same basis as claim 6 above.

25.   As per claim 22, since it is a computer program claim of claim 7, it is rejected for the same basis as claim 7 above.

26.   As per claim 23, since it is a computer program claim of claim 8, it is rejected for the same basis as claim 8 above.

27.   As per claim 24, since it is a computer program claim of claim 9, it is rejected for the same basis as claim 9 above.

28.   As per claim 26, since it is a computer program claim of claim 11, it is rejected for the same basis as claim 11 above.

29.   As per claim 27, since it is a computer program claim of claim 12, it is rejected for the same basis as claim 12 above.

30.   As per claim 28, since it is a computer program claim of claim 13, it is rejected for the same basis as claim 13 above.

31.   As per claim 29, since it is a computer program claim of claim 14, it is rejected for the same basis as claim 14 above.

32.   As per claim 30, since it is a computer program claim of claim 15, it is rejected for the same basis as claim 15 above.

33.   As per claim 31, since it is a system claim of claim 1, it is rejected for the same basis as claim 1 above.

34.   As per claim 32, since it is a system claim of claim 2, it is rejected for the same basis as claim 2 above.

35.   As per claim 33, since it is a system claim of claim 3, it is rejected for the same basis as claim 3 above.

36.   As per claim 34, since it is a system claim of claim 7, it is rejected for the same basis as claim 7 above.

37.   As per claim 35, since it is a system claim of claim 8, it is rejected for the same basis as claim 8 above.

38.   As per claim 36, since it is a system claim of claim 9, it is rejected for the same basis as claim 9 above.

39.   As per claim 37, since it is a system claim of claim 15, it is rejected for the same basis as claim 15 above.

40.   As per claim 38, since it is a product claim of claim 1, it is rejected for the same basis as claim 1 above.

41.   As per claim 39, since it is a product claim of claim 15, it is rejected for the same basis as claim 15 above.

42.   As per claim 40, since it is an apparatus device claim of claim 1, it is rejected for the same basis as claim 1 above.

43.   As per claim 41, since it is an apparatus device claim of claim 2, it is rejected for

the same basis as claim 2 above.

44.   Claims 1-9, 11-24 and 26-41 are rejected under 35 U.S.C. 102(e) as being

anticipated by Gurijala et al. (US 6,601,090).

45.   As per claim 1, Gurijala teaches the invention as claimed including a data

processing system for sending a document with a network address to a recipient [col. 1,

lines 8-11], the method comprising the steps of determining to send the document to the

recipient [col. 5, lines 7-15; col. 7, lines 51-65]; incorporating a timer value and a

calculated value [i.e., URI or other identifier for the object] into the network address [col.

4, lines 8-18; col. 6, lines 34-40; col. 8, lines 48-57]; and sending the document with the

incorporated network address to the recipient [col. 5, lines 16-25 & 36-50].

46.   As per claim 2, Gurijala teaches the recipient is a computer [col. 5, lines 7-15;

col. 7, lines 51-65].

47.   As per claim 3, Gurijala teaches the recipient is a program in the data processing

system [col. 5, lines 7-15; col. 7, lines 51-65].

48.   As per claim 4, Gurijala teaches the calculated value is based on a time

dependent increment [col. 4, lines 8-18; col. 5, lines 51-65; col. 6, lines 34-40; col. 8,

lines 48-57; i.e., URI or the other identifier for the object is a calculated value related to a time increment, because the system uses URI or the other identifier to determine whether the object in the cache is the latest version].

49.   As per claim 5, Gurijala teaches the network address has a format such that a first part of the network address identifies a server in the network, and a second part of the network address identifies the document, which is sent by the server identified by the first part, and wherein the timer value is incorporated into the second part [col. 3, lines 50-63; col. 4, lines 8-18; col. 6, lines 34-40; i.e., the object includes URI and time stamp].

50.   As per claim 6, Gurijala teaches the network address data has a format such that a first part of the network address data identifies a server in the network, and a second part of the network address data identifies the document, which is sent by the server identified by the first part, and wherein the timer value is incorporated into the second part [col. 3, lines 50-63; col. 4, lines 8-18; col. 6, lines 34-40; i.e., the object includes URI and time stamp].

51.   As per claim 7, Gurijala teaches the network is the Internet and the network address is a Uniform Resource Locator [col. 4, lines 8-18].

52.   As per claim 8, Gurijala teaches the document is a web page and the network

address is a URL [col. 4, lines 8-18].

53.   As per claim 9, Gurijala teaches the network is one of a Local Area Network, a

Metropolitan Area Network and a Wide Area Network [col. 3, lines 50-63].

54.   As per claim 11, Gurijala teaches of determining whether the network address

comprises a link element, the link element having a format such that the link element

can be used by a user of the network who receives a document containing the link

element in order to generate a request containing the network address associated with

the link element [col. 5, lines 7-25].

55.   As per claim 12, Gurijala teaches the predetermined condition is met if the

network address data comprises a link element, the link element having a format such

that the link element can be used by a user of the network who receives a document

containing the link element in order to generate a request containing the network

address associated with the link element [col. 4, lines 8-18].

56.   As per claim 13, Gurijala teaches the step of receiving a request for the

document, wherein the document is sent in response to the received request, the

request comprising one of a network address identifying the document and an amended

network address derived from a network address identifying the document [col. 4, lines

12-18; col. 5, lines 7-15].

57.   As per claim 14, Gurijala teaches the steps of determining whether the received

request comprises a network address or an amended network address; when the

received request comprises an amended network address, deriving a network

address from the amended network address by removing an address supplement from

the amended network address, the outputted document being identified by the derived

network address [col. 5, lines 51-65].

58.   As per claim 15, Gurijala teaches the invention as claimed including a method in

a data processing system comprising a web server having a web page with a URL [col.

4, lines 8-18], the method comprising the steps performed by the web server of:

        receiving a request to download the web page to a client [col. 5, lines 7-15; col.

7, lines 51-65];

        determining whether the web page has been updated, when the web page has

been updated, incorporating a time stamp into the URL of the web page [col. 5, lines 43-

50; col. 7, lines 18-65]; and

        downloading the web page with the URL incorporated with the time stamp to the

client to satisfy the request [col. 5, lines 16-25 & 36-50]; and

when the web page has not been updated, downloading the web page to the

client to satisfy the request [col. 5, lines 16-25].

59.   As per claim 16, since it is a computer program claim of claim 1, it is rejected for

the same basis as claim 1 above.

60.   As per claim 17, since it is a computer program claim of claim 2, it is rejected for

the same basis as claim 2 above.

61.   As per claim 18, since it is a computer program claim of claim 3, it is rejected for

the same basis as claim 3 above.

62.   As per claim 19, since it is a computer program claim of claim 4, it is rejected for

the same basis as claim 4 above.

63.   As per claim 20, since it is a computer program claim of claim 5, it is rejected for

the same basis as claim 5 above.

64.   As per claim 21, since it is a computer program claim of claim 6, it is rejected for

the same basis as claim 6 above.

65.   As per claim 22, since it is a computer program claim of claim 7, it is rejected for the same basis as claim 7 above.

66.   As per claim 23, since it is a computer program claim of claim 8, it is rejected for the same basis as claim 8 above.

67.   As per claim 24, since it is a computer program claim of claim 9, it is rejected for the same basis as claim 9 above.

68.   As per claim 26, since it is a computer program claim of claim 11, it is rejected for the same basis as claim 11 above.

69.   As per claim 27, since it is a computer program claim of claim 12, it is rejected for the same basis as claim 12 above.

70.   As per claim 28, since it is a computer program claim of claim 13, it is rejected for the same basis as claim 13 above.

71.   As per claim 29, since it is a computer program claim of claim 14, it is rejected for the same basis as claim 14 above.

72.   As per claim 30, since it is a computer program claim of claim 15, it is rejected for

the same basis as claim 15 above.

73.   As per claim 31, since it is a system claim of claim 1, it is rejected for the same

basis as claim 1 above.

74.   As per claim 32, since it is a system claim of claim 2, it is rejected for the same

basis as claim 2 above.

75.   As per claim 33, since it is a system claim of claim 3, it is rejected for the same

basis as claim 3 above.

76.   As per claim 34, since it is a system claim of claim 7, it is rejected for the same

basis as claim 7 above.

77.   As per claim 35, since it is a system claim of claim 8, it is rejected for the same

basis as claim 8 above.

78.   As per claim 36, since it is a system claim of claim 9, it is rejected for the same

basis as claim 9 above.

79.   As per claim 37, since it is a system claim of claim 15, it is rejected for the same basis as claim 15 above.

80.   As per claim 38, since it is a product claim of claim 1, it is rejected for the same basis as claim 1 above.

81.   As per claim 39, since it is a product claim of claim 15, it is rejected for the same basis as claim 15 above.

82.   As per claim 40, since it is an apparatus device claim of claim 1, it is rejected for the same basis as claim 1 above.

83.   As per claim 41, since it is an apparatus device claim of claim 2, it is rejected for the same basis as claim 2 above.

Conclusion

84.   Applicant's arguments filed on 1/25/06 for claims 1-9, 11-24 and 26-41 have been fully considered but they are not deemed to be persuasive.

86.   In the remarks, applicant argued in substance that (1) Simonson does not teach incorporating a calculated value is based on a time dependent increment; (2) Gurijala does not teach incorporating a timer value and a calculated value based on the timer value, into the network address included in a document/web page.

87.   Examiner respectfully traverses applicant's remarks:

A.   As to point (1), applicant fails to consider the teaching of the Simonson's reference for providing version number for the document, which the version number is related to the time increment [p. 340, lines 32-36], i.e., version number is a value calculated based on the time increment, because the system needs the version number to determine outdated version and updated version of a document. Thus, Simonson does teach a calculated value is based on a time dependent increment .

B.   As to point (2), applicant fails to consider the teaching of the Gurijala's reference for determining the version of the requested object based on URI or the other identifier of the object [col. 4, lines 8-18; col. 5, lines 51-65; col. 6, lines 34-40; col. 8, lines 48-57], i.e., URI or the other identifier for the object is a calculated value related to a time increment for being used to determine whether the object in the cache is the latest version. Thus, Gurijala dose teaches the limitations in claim 1.

Accordingly, Simonson and Gurijala are still relevant prior art references.

88.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jinsong Hu whose telephone number is (571) 272-3965. The examiner can normally be reached on 8:00 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A. Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Jinsong Hu

March 29, 2006